GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Servants – Commercial Taxes Department – Surprise Check conducted over the Integrated Check Post, B.V.Palem, Tada Mandal, SPSR Nellore District on 09-01-2017 – Allegations of Corruption – Common disciplinary proceedings initiated – Inquiry under Rule 20 of Andhra Pradesh Civil Services (Classification Control and Appeal) Rules, 1991 - against Sri Ramavath Balaji Naik, Assistant Commercial Tax Officer, Integrated check post, B.V.Palem, Tada Mandal, SPSR Nellore District - Article of Charges – Issued.

REVENUE (VIGILANCE – II) DEPARTMENT

G.O.Rt.No.872 **Dated:19-06-2018**

Read the following:

1. From Director General, Anti Corruption Bureau,A.P, Lr.C.No.6/DES-NNL/2017, dated:18-05-2018.
2. G.O.Ms.No.319, Revenue(Vig-II)Department, Dt:19-06-2018.

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O R D E R :

In continuation of the orders issued under Rule 24 of the Andhra Pradesh Civil Services (Classification, Control and Appeal) Rules, 1991 in the reference 2nd read above, it is considered necessary to hold an enquiry against Sri Ramavath Balaji Naik, Assistant Commercial Tax Officer, Integrated check post, B.V.Palem, Tada Mandal, SPSR Nellore District under Rule 20 of the said rules.

2. The substance of the imputation of misconduct or misbehaviour in respect of which the inquiry is proposed to be held is set out in the enclosed statement of articles of charge (Annexure-I) and the imputation of misconduct or misbehaviour in support of each article of charge is enclosed (Annexure-II). A list of documents by which and a list of witnesses by whom the articles of charge are proposed to be sustained are also enclosed (Annexure-III & IV).

3. Sri Ramavath Balaji Naik, Assistant Commercial Tax Officer, Integrated check post, B.V.Palem, Tada Mandal, SPSR Nellore District is directed to submit within ten days of the receipt of this order a written statement of his defense.

4. He is informed that an inquiry will be held only in respect of those articles of charge as are not admitted. He should, therefore, specifically admit or deny each article of charge.

5. Sri Ramavath Balaji Naik, Assistant Commercial Tax Officer, Integrated check post, B.V.Palem, Tada Mandal, SPSR Nellore District is further informed that if he does not submit his written statement of defence on or before the date specified in para 3 above, or otherwise fails or refuses to comply with the provisions of Rule 20 of the Andhra Pradesh Civil Services (Classification, Control and Appeal) Rules, 1991 or the orders/ directions issued in pursuance of the said rules the Inquiring Authority may hold the inquiry against him ex-parte.

6. Attention of Sri Ramavath Balaji Naik, Assistant Commercial Tax Officer, Integrated check post, B.V.Palem, Tada Mandal, SPSR Nellore District is invited to Rule 24 of the Andhra Pradesh Civil Services (Conduct) Rules, 1964 under which no Government servant shall bring or attempt to bring any political or outside influence to bear upon any superior authority to further his interests in respect of matters pertaining to his service under Government. If any representation is received on his behalf from another person in respect of any matter dealt with in these proceedings, it will be presumed that he is aware of such a representation and that it has been

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made at his instance and action will be taken against him for violation of Rule 24 of the Andhra Pradesh Civil Services (Conduct) Rules, 1964.

7. The receipt of this order may be acknowledged.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

Dr.MANMOHAN SINGH
SPECIAL CHIEF SECRETARY TO GOVERNMENT (CT, EXCISE & R&S) (FAC)

To

Sri Ramavath Balaji Naik, Assistant Commercial Tax Officer, Integrated check post, B.V.Palem, Tada Mandal, SPSR Nellore District.(w.e, Annexures I to IV) **through** the Commissioner of Commercial Taxes, Andhra Pradesh, Vijayawada (with a request to serve the order on the individual and send the served copy with dated signature to Government)

The Commissioner, Commercial Taxes, Andhra Pradesh, Eedupugallu, Vijayawada.

Copy to

The Secretary to Vigilance Commissioner,
Andhra Pradesh Vigilance Commission, Velagapudi.

The Director General, Anti Corruption Bureau, Pandit Nehru Bus Station,
NTR Administrative Block, 2nd Floor, Andhra Pradesh, Vijayawada.

The Revenue (Commercial Tax-I) Department.

SF / SC.

//FORWARDED :: BY ORDER//

SECTION OFFICER

ANNEXURE-I

ARTICLE OF CHARGES FRAMED AGAINST SRI RAMAVATH BALAJI NAIK S/O.SOMIA NAIK, OCC: ASST., COMMERCIAL TAX OFFICER, COMMERCIAL TAX DEPARTMENT, ICP, B.V.PALEM, TADA MANDAL, SPSR NELLORE DISTRICT

That Sri Ramavath Balaji Naik S/o Somia Naik joined in Government Service on 13.11.2009, as Assistant Commercial Tax Officer and worked at O/o Commercial Tax Officer, Guntur from 13.11.2009 to 12.05.2010. Further he worked at O/o. Commercial Tax Officer, Bapatla, Integrated Check Post, B.V. Palem, O/o. Deputy Commissioner, Guntur from 13.05.2010 to 29.12.2016 and working as thus at Integrated Check Post, B.V.Palem, Tada, Nellore District since 30.12.2016. His date of birth is on 25.07.1985 and date of retirement on attaining the age of superannuation is 31.07.2045. He is here-in-after referred to as Government Servant. While functioning as Assistant Commissioner Tax Officer, Commercial Tax Department (Incoming Check Post) Integrated Check Post, B.V. Palem, Tada (Mandal) committed grave misconduct in as

CHARGE:- That Sri Ramavath Balaji Naik, Assistant Commercial Tax Officer, Commercial Tax Department (Incoming Check post), Integrated Check Post, BV Palem Check Post, Tada, being a public servant who was on duty together with One Deputy Commercial Tax Officer, One Assistant Commercial Tax Officer, One Senior Assistant, One Senior Assistant/Data Entry Operator, Two Junior Assistants(Field verification Duty), One Junior Assistant/Junior Inspector, and One attender collecting mamools (bribe) ranging from Rs.150/- to Rs.200/- through private persons namely as i.e. Sri K. Vasu and Sri J. Veera Babu and an unaccounted amount of Rs.22,450/- was found with the private persons during the surprise check. The aforesaid staff allowed the crew of some vehicles passes through the check post by flouting Rules. The aforesaid unaccounted amount of Rs.22,450/- was seized on 09.01.2017.

Thus, Sri Ramavath Balaji Naik, Assistant Commercial Tax Officer by the above mentioned acts has exhibited lack of integrity, devotion to duty and conduct unbecoming of a Government Servant and thereby violated Rule 3 (1) & (2) of Andhra Pradesh Civil Services (Conduct) Rules, 1964.

Dr.MANMOHAN SINGH
SPECIAL CHIEF SECRETARY TO GOVERNMENT (CT, EXCISE & R&S) (FAC)

SECTION OFFICER

ANNEXURE — II

STATEMENT OF IMPUTATIONS IN SUPPORT OF ARTICLE OF CHARGES FRAMED AGAINST SRI RAMAVATH BALAJI NAIK S/O. SOMIA NAIK, OCC: ASST., COMMERCIAL TAX OFFICER, COMMERCIAL TAX DEPARTMENT, ICP, B.V.PALEM, TADA MANDAL, SPSR NELLORE DISTRICT

That Sri Ramavath Balaji Naik S/o. Somia Naik is a native of Nelleswarapalem, Atchampet Mandal, Guntur District and joined in Government Service on 13.11.2009, as Assistant Commercial Tax Officer and worked at O/o. Commercial Tax Officer, Guntur from 13.11.2009 to 12.05.2010. Further he worked at O/o. Commercial Tax Officer, Bapatla, Integrated Check Post, B.V. Palem, O/o. Deputy Commissioner, Guntur from 13.05.2010 to 29.12.2016 and working as thus at Integrated Check Post, B.V.Palem, Tada, Nellore District since 30.12.2016. His date of birth is on 25.07.1985 and date of retirement on attaining the age of superannuation is 31.07.2045. He is here-in-after referred to as Government Servant.

CHARGE:- That Sri Ramavath Balaji Naik, Assistant Commercial Tax Officer, Commercial Tax Department (Incoming Check post), Integrated Check Post, BV Palem Check Post, Tada, being a public servant who was on duty together with One Deputy Commercial Tax Officer, One Assistant Commercial Tax Officer, One Senior Assistant, One Senior Assistant/Data Entry Operator, Two Junior Assistants(Field verification Duty), One Junior Assistant/Jr. Inspector, and One attender collecting mamools (bribe) ranging from Rs.150/- to Rs.200/- through private persons namely as i.e. Sri K. Vasu and Sri J. Veera Babu and an unaccounted amount of Rs.22,450/- was found with the private persons during the surprise check. The aforesaid staff allowed the crew of some vehicles pass through the check post by flouting Rules. The aforesaid unaccounted amount of Rs.22,450/- was seized on 09.01.2017.

FACTS AND EVIDENCE:-

On credible information that the officers and staff of Integrated Check Post, B.V.Palem, Tada Mandal, SPSR Nellore District are indulging in corrupt practices and collecting illegal gratifications/mamools from the crew of vehicles plying through Integrated Check Post, B.V.Palem, a surprise check was conducted over Transport Wing, Commercial Taxes Incoming and Outgoing Wings of Integrated Check Post, B.V.Palem on 09.01.2017 from 02.30 am to 09.30 am with three teams headed by the Deputy Superintendent of Police, Anti Corruption Bureau, Nellore Range, Nellore in the presence of mediators. The surprise check revealed the following irregularities and violations. The officials of Incoming Check Post engaged two private persons for collecting mamools ranging from Rs.100/- To Rs.150/- from the crew of the vehicles as usual practice for ignoring the violations. At the time of surprise check 1) Sri Ravilla Nageswara Rao, Deputy Commercial Tax Officer, 2) Sri Ramavath Balaji Naik, Assistant Commercial Tax Officer, 3) Sri Kollipara Koteswara Prasad, Assistant Commercial Tax Officer 4) Sri Puniparthi Mallikarjuna Rao, Senior Assistant 5) Sri Pasala Purushottama Rao, Senior Assistant/Data Entry Operator 6) Smt. Duvvuri Madhavi, Junior Assistant 7) Sri Kolakalam Vijay Kumar, Junior Assistant 8) Smt. Guntapudi Kalavathi, Junior Assistant/Junior Inspector 9) Sri Kodakala Ramesh, Attender is on duty and the same was reflected in the Duty Register. During the surprise check the two private persons namely Sri K. Vasu and Sri J. Veera Babu are found with an unaccounted amount of Rs.22,450/-. The Deputy Superintendent of Police got recorded the statements of the Sri K. Vasu and Sri J. Veera Babu two private persons. As per the statements of the crew members it was confirmed that the amount was collected from them for ignoring the violations during the transportation of the goods in the vehicles and the amount of Rs. 22,450/- was seized under the surprise check proceedings.

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Therefore the Government Servant Sri Ramavath Balaji Naik, Assistant Commercial Tax Officer by his above-mentioned acts has exhibited lack of integrity, devotion to duty and conduct unbecoming of a Government Servant and thereby contravened Rule 3 (1) & (2) of Andhra Pradesh Civil Services (Conduct) Rules, 1964.

Thus the Government Servant has therefore rendered himself liable for departmental action for major penalty for his misconduct.

Dr.MANMOHAN SINGH
SPECIAL CHIEF SECRETARY TO GOVERNMENT (CT, EXCISE & R&S) (FAC)

SECTION OFFICER

ANNEXURE - III

LIST OF WITNESSES

1) Sri Nadakuditi Sateesh Babu S/o Punnaiah, Age: 29 Years, Caste: BC - A Pallikaru, Occ: Lorry Driver R/o: Yanamalakuduru Village, Vijayawada, Krishna District.

2) Sri Anne Srikanth S/o Basava Rao, Age: 38 Years, Caste: Kamma, Occ: Lorry Cleaner, R/o:D.No.5-4-32/6, Kamala Nagar, Road No.8, Vanastalipuram, Hyderabad, Telangana State.

3) Sri A.V. Durga Prasad S/o. Avataram, Age: 48 Years, Occ: Lorry Driver R/o: Near Patel Nagar, Ramavarappadu, Krishna District, A.P.

4) Sri Kancharla Vasu s/o. Bosu, Age: 35 Years, Occ: Cooli, R/o: D.No.9-1, Opp: Syndicate Bank, Panduranga Street, Sullurupeta N/o: Mudunuru Village, Vyyuru Mandal, Krishna District (Private Person).

5) Sri Jannu Veera Babu S/o. Sambasiva Rao, Age: 30 Years, Occ: Cooli R/o: Sri Maruthi Mess, Karur Village, Tada (M), SPSR Nellore District (Private Person).

6) Sri Nalagandla Hari Prasad S/o. Chennaiah, Age: 56 Years, Occ: Asst. Engineer (R&B), O/o. Deputy Executive Engineer, Roads & Buildings Sub-Division, Nellore, SPSR Nellore District (Mediator).

7) Sri Napa Madhu Sudhana Rao S/o. Late. N. Venkata Subbaiah, Age: 42 Years, Occ: Jr. Asst, O/o. Deputy Executive Engineer, Roads & Buildings Sub-Division, Nellore, SPSR Nellore District (Mediator).

8) Sri Mukka Venkateswarlu S/o. Late Gopala Rao, Age: 41 Years, Occ: Asst. Labour Officer, O/o. Dy. Commissioner of Labour, 1st Floor, Moonland Apartments, KVAgraharam, Pogathota, Nellore (Mediator).

9) Sri Konda Srinivasulu Reddy S/o Late Ramana Reddy, Age: 40 years, Occ: Jr Assistant, O/o. Asst. Labour Officer, III Circle, Moonland Apartments, KVAgraharam, Pogathota, Nellore(working as enumerator in the smart pulse survey in Municipal Corporation of Nellore on deputation basis) (Mediator).

10) Sri.T. Prabhakar, the then Dy.Supdt. of Police, ACB, Nellore Range, Nellore now working as DSP, ACB, Ongole, Prakasam District.

11) Sri N. Siva Kumar Reddy, Inspector of Police, ACB, Nellore Range, Nellore.

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SECTION OFFICER

ANNEXURE - IV

LIST OF RECORDS

1) Photostat copies of Duty Register of ICP, B.V. Palem, Tada.

2) Photostat copies of Personal Cash Register of ICP, B.V. Palem, Tada.

3) Photostat copies of Duty Chart of Commercial Wing, ICP, B.V. Palem, Tada.

4) Photostat copies of Visiting Register of ICP, B.V. Palem, Tada.

5) Rough sketch of scene of offence, Dt: 09.01.2017.

6) Surprise Check Proceedings drafted on 09.01.2017 for the surprise check conducted over the ICP, B.V. Palem, Tada Mandal, SPSR Nellore Dist.

7) Service particulars of SO and Job Chart.

Dr.MANMOHAN SINGH
SPECIAL CHIEF SECRETARY TO GOVERNMENT (CT, EXCISE & R&S) (FAC)

SECTION OFFICER